

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Criminal No.
04-10156-WGY

* * * * *
UNITED STATES OF AMERICA
v.
ZHU ZHAOXIN
* * * * *

SENTENCING EXCERPT

BEFORE: The Honorable William G. Young,
District Judge

1 Courthouse Way
Boston, Massachusetts

September 28, 2005

1 **THE COURT:** Mr. Zhu Zhaoxin, in consideration of
2 those factors which the Court must consider under 18 United
3 States Code, Section 3553, the information from the United
4 States Attorney, your attorney, the probation officer, this
5 Court departs downward and sentences you to two years, 24
6 months, in the custody of the United States Attorney
7 General.

8 The Court imposes upon you no fine. The Court
9 imposes upon you three years of supervised release. The
10 Court imposes, as required, the mandatory special assessment
11 of \$100.

12 The special conditions of your supervised release
13 are that you not commit another crime; that you shall submit
14 to the collection of a DNA sample as required by the
15 probation office. You're prohibited from possessing a
16 firearm, destructive device, or other dangerous weapon.

17 You're prohibited -- if ordered deported, you are
18 to leave the United States, not to return without the prior
19 permission of the Secretary of the Department of Homeland
20 Security.

21 Let me explain this sentence to you. This, this
22 sentence is expressly based on the representations made at
23 the sidebar conferences by the United States. That's the
24 basis for the sentence.

25 Let me say to you one thing, though, Mr. Zhu. And

1 it's this. This is no mistake. This is nothing that can be
2 excused by stress. This is a deliberate, intentioned
3 conspiracy to violate the export restrictions of the United
4 States and to defraud it. It is for the reasons expressed
5 at the sidebar that I give you this sentence that I do and
6 for no other reason.

7 I inform you that should you appeal and should
8 your, you have the right to appeal, and should you appeal
9 and should your appeal be successful in whole or in part
10 this case will be resentenced before another judge.

11 You will get credit toward the service of this
12 sentence for each day you have remained in custody since
13 May 6th, 2004.

14 I'll recess, but I'm going to direct the marshals,
15 if you won't allow Mr. Sheketoff and Mr. Zhu and the
16 interpreter to consult. I want you to counsel him at this
17 time, Mr. Sheketoff.

18 Was there something you wanted to say before we
19 recess?

20 **MR. SHEKETOFF:** Yes, your Honor. Because he does
21 have really a pastor who is in the area, and that's really
22 his only connection to the United States, I'm not sure what
23 the Bureau OF Prisons is going to do with about four months
24 left on the sentence, but would you consider recommending
25 that he serve it at Fort Devens Camp?

1 **THE COURT:** I will so recommend. That will be part
2 of it.

3 Thank you very much. We'll recess.

4 Just let -- he's got to consult with his client
5 so --

6 **THE MARSHAL:** Yes, your Honor.

7 **THE COURT:** -- if you'll let him stay here and do
8 that.

9 **THE CLERK:** All rise. Court is in recess.

10 (Whereupon the matter concluded.)
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